



PATENT
Attorney Docket No.: MEDIV2010-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kornowski et al. Art Unit: 3763
Application No.: 10/776,545 Examiner: Not Yet Assigned
Filing Date: February 10, 2004 Confirmation No.: 3121
Title: INTRAMYOCARDIAL INJECTION OF AUTOLOGOUS BONE
MARROW

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,
please find the following:

- (1) Request for Corrected Filing Receipt; (2 pgs)
- (2) Copy of Filing Receipt reflecting changes; (2 pgs)
- (3) Copy of DIV Transmittal; (3 pgs) and
- (4) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are
being deposited with the United States Postal Service as first class
mail on this date, 2-18-05, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450

YINIA NADAR

(Name of Person mailing Paper)

[Signature]

(Signature of Person Mailing Paper)

2-18-05

Date

In re Application of:
Kornowski et al.
Application No.: 10/776,545
Filed: February 10, 2004
Page 2

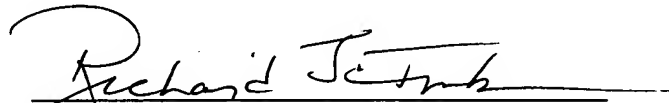
PATENT
Attorney Docket No.: MEDIV2010-5

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date:

February 18, 2005



Richard J. Imbra
Registration No. 37,643
Telephone: (858) 677-1496
Facsimile: (858) 677-1465

USPTO CUSTOMER NO. 28213

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133



PATENT
Attorney Docket No.: MEDIV2010-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Kornowski et al.	Art Unit:	3763
Application No.:	10/776,545	Examiner:	Not Yet Assigned
Filing Date:	February 10, 2004	Confirmation No.:	3121
Title:	INTRAMYOCARDIAL INJECTION OF AUTOLOGOUS BONE MARROW		

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please correct inventor's Last Name from "Komowski" to **-Kornowski-**.

Applicants accordingly request the correction be made of record.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>2-18-05</u> , in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
<u>Yinia Nazer</u>	
(Name of Person mailing Paper)	
<u>[Signature]</u>	<u>2-18-05</u>
(Signature of Person Mailing Paper)	Date

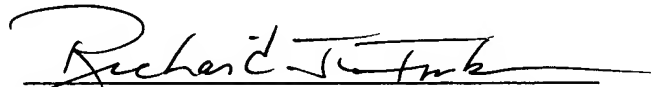
In re Application of:
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Page 2

PATENT
Attorney Docket No.: MEDIV2010-5

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

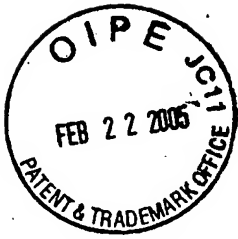
Respectfully submitted,

Date: February 18, 2005


Richard J. Imbra
Registration No. 37,643
Telephone: (858) 677-1496
Facsimile: (858) 677-1465

USPTO CUSTOMER NO. 28213

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133



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O] 858-677-1456
F] 858-677-1465

February 10, 2004

ATTORNEY DOCKET NO.: MEDIV2010-5

Parent Application No.: 09/868,411

Parent Filing Date: June 14, 2001

Parent Inventors: Ran Kornowski, Shmuel Fuchs, Stephen E. Epstein and Martin B. Leon

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new **Divisional** patent application of:

APPLICANTS : Ran Kornowski, Shmuel Fuchs, Stephen E. Epstein and Martin B. Leon

TITLE : INTRAMYOCARDIAL INJECTION OF AUTOLOGOUS BONE MARROW

Enclosed are the following papers, including all those required for a filing date under 37 C.F.R. § 1.53(b):

Pages of Cover Sheet	1
Pages of Specification	30
Pages of Claims	11
Pages of Abstract	1
Pages of Declaration (from Parent)	4
Sheets of Drawing	2

"EXPRESS MAIL" Mailing Label Number: EV 318 740 425 US

Date of Deposit: February 10, 2004

I hereby certify under 37 CFR. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JASON BERRY

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER)

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

SILICON VALLEY SAN DIEGO SAN FRANCISCO AUSTIN SEATTLE SACRAMENTO LA JOLLA WASHINGTON, DC



Docket No.: MEDIV2010-5
 Mail Stop PATENT APPLICATION
 February 10, 2004
 Page Two

This request includes Three (3) sheets and the following:

- Preliminary Amendment (8 pages);
- Information Disclosure Statement (2 pages);
- Forms PTO-1449 (filed in parent application) (4 pages);
- Check No. 553524 in the amount of \$514.00; and
- Return Receipt Postcard.

Under 35 USC § 121, this application is a **divisional** application of U.S. Application Serial No. 09/868,411 filed June 14, 2001, now pending; which is a 35 USC § 371 National Stage application of PCT Application No. US00/08353 filed March 30, 2000; which claims the benefit under 35 USC § 119(e) to U.S. Application Serial No. 60/138,379 filed June 9, 1999, now abandoned and U.S. Application Serial No. 60/126,800 filed March 30, 1999, now abandoned. The disclosure of each of the prior applications is considered part of and is incorporated by reference in the disclosure of this application.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 CFR. § 1.27, a verified statement claiming small entity status is not required.

The filing fee is calculated as follows:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	17-20	=	0	X	\$09	\$18	=	\$.00	\$.00--
Independent Claims	6-3	=	3	X	\$43	\$86	=	\$ 129.00	\$.00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					\$145	\$290		\$ ---	\$ ---
					BASIC FEE			\$ 385.00	\$ 770.00
					TOTAL FEE			\$ 514.00	

Enclosed is Check No. 553524 in the total amount of \$514.00; which consists of \$385.00 for the filing fee and \$129.00 for the fee for Three (3) independent claims in excess of 3 independent claims. The Commissioner is hereby authorized to charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account 50-1355, referencing the Attorney Docket number shown above.

GRAY CARY WARE & FREIDENRICH LLP



Docket No.: MEDIV2010-5
Mail Stop PATENT APPLICATION
February 10, 2004
Page Three

If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.

Please send all correspondence to:

June M. Learn
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
Telephone: (858) 677-1416
Facsimile: (858) 677-1465

A duplicate copy of this transmittal letter is attached. Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

February 10, 2004

Date

June M. Learn

June M. Learn

Registration No. 31,238

Telephone: (858) 677-1416

Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

JML:ag
Enclosures



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MAY 13 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/776,545	02/10/2004	3763	514	MEDIV2010-5	2	17	6

CONFIRMATION NO. 3121

28213

GRAY CARY WARE & FREIDENRICH LLP

4365 EXECUTIVE DRIVE

SUITE 1100

SAN DIEGO, CA 92121-2133

PATENT DOCKETING

MAY 13 2004

FILING RECEIPT



OC000000012575724

Date Mailed: 05/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

KORNOWSKI

Ran Kornowski, Ramat Hasharon, ISRAEL;

Shmuel Fuchs, Rockville, MD;

Stephen E. Epstein, Rockville, MD;

Martin B. Leon, New York, NY;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/868,411 06/14/2001
 which is a 371 of PCT/US00/08353 03/30/2000
 which claims benefit of 60/138,379 06/09/1999
 and claims benefit of 60/126,800 03/30/1999

Foreign Applications

If Required, Foreign Filing License Granted: 05/08/2004

Projected Publication Date: 08/19/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Intramyocardial injection of autologous bone marrow

Preliminary Class

604

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

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